

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ILUMI SOLUTIONS, INC. d/b/a  
MESHTEK LABS, INC.,

Plaintiff,

v.

GEMSTONE LIGHTS CANADA LTD.

Defendant.

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CIVIL ACTION NO. 4:23-cv-937-SDJ

**JURY TRIAL DEMANDED**

**AGREED SCHEDULING ORDER**

Pursuant to Fed. R. Civ. P. 16(b) and the Eastern District of Texas Local Rules (except as modified herein), the Court **orders** that the following schedule governs deadlines in the disposition of this case:

<b>DEADLINES</b>	
2/14/2024	<b>Venue Motions</b>
2/16/2024	<b>FRCP 26(f) Joint Report</b> Agreed Deadline to Serve Initial Rule 26 Disclosures
<b>3/6/2024</b>	<b>Initial Case Management Conference</b>
TBD	<b>Mediation.</b> The Court will appoint a mediator at the Scheduling Conference
3/16/2024	<b>P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions (and P.R. 3-2 document production) to be served.</b> 10 days after management conference
4/10/2024	<b>Join Additional Parties</b> 5 weeks after management conference
4/10/2024	<b>P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served.</b> Not later than 35 days after the Initial Case Management Conference with the Court, each party opposing a claim of patent infringement, shall serve on all parties its "Invalidity Contentions" along with production. 5 weeks after management conference

4/10/2024	<b>Mandatory Disclosures</b> To the extent not already required to be disclosed, exchange Mandatory Disclosures on all issues, including damages. 5 weeks after management conference
4/20/2024	<b>Proposed Claim Terms and Elements for Construction</b> Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1). 45 days after management conference
4/24/2024	<b>Privilege Logs</b> Privilege logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents). 7 weeks after management conference
5/10/2024	<b>Preliminary Proposed Construction</b> Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same. (P.R. 4-2). No later than 65 days after the management conference.
6/5/2024	<b>Amended Pleadings</b> Parties' Final Amended Pleadings. (A motion for leave is required.) 13 weeks after management conference
6/9/2024	<b>Joint Claim Construction and Prehearing Statement</b> Joint Claim Construction and Prehearing Statement to be filed. (P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims. No later than 95 days after management conference
6/26/2024	<b>Respond to Amended Pleadings</b> 16 weeks after management conference
7/9/2024	<b>Claim Construction Discovery Completion</b> Completion date for discovery on claim construction. (P.R. 4-4). No later than 125 days after management conference.
7/9/2024	<b>Preliminary Election of Asserted Claims</b> By the date set for completion of claim construction discovery pursuant to P.R. 4-4, the patent claimant shall serve a Preliminary Election of Asserted Claims, which shall assert no more than ten claims from each patent and not more than a total of 32 claims.
7/23/2024	<b>Preliminary Election of Asserted Prior Art</b> Not later than 14 days after service of the Preliminary Election of Asserted Claims, the patent defendant shall serve a Preliminary Election of Asserted Prior Art, which shall assert no more than twelve prior art references against each patent and not more than a total of 40 references.
7/24/2024	<b>Opening Claim Construction Brief</b> Opening claim construction brief. (P.R. 4-5(a)). No later than 140 days after management conference

7/29/2024	<b>Tutorial</b> Submit technology synopsis/tutorial (both hard copy and disk). 4 weeks before claim construction hearing
8/7/2024	<b>Responsive Claim Construction Brief</b> Responsive claim construction brief. (P.R. 4-5(b)). No later than 2 weeks after claim construction brief
8/14/2024	<b>Reply Claim Construction Brief</b> Reply claim construction brief. (P.R. 4-5(c)). No later than 7 days after response
8/16/2024	<b>Joint Claim Construction Chart</b> Parties to file joint claim construction and chart. (P.R. 4-5(d)). Parties shall work together to agree on as many claim terms as possible. At least 10 days before claim construction hearing
8/26/2024	<b>Claim Construction Hearing</b> Proposed Claim Construction hearing Monday, August 26, 2024, at 10:00 a.m. at the United States Courthouse, 7940 Preston Road, Plano, TX 75024.
9/30/2024	<b>Initial Mandatory Disclosures</b> Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this Court's order or the Patent Rules, nor an excuse to delay disclosure of information. It is a "catchall" deadline for provision of all remaining information which may be relevant to a claim or defense of any party at trial.
	<b>Final Election of Asserted Claims</b> No later than 28 days before the service of expert reports by the party with the burden of proof on an issue, the patent claimant shall serve a Final Election of Asserted Claims, which shall identify no more than five asserted claims per patent from among the ten previously identified claims and no more than a total of 16 claims.
10/7/2024	<b>Mediator</b> Parties shall notify the Court of the name, address, and telephone number of the agreed-upon mediator, or request that the Court select a mediator, if they are unable to agree on one. 6 weeks after claim construction hearing
10/28/2024	<b>Experts</b> Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(a)(2)(B). 9 weeks after claim construction hearing

10/28/2024	<b>Willfulness Opinions</b> Comply with P.R. 3-7 (Designation of Willfulness Opinions). 9 weeks after claim construction hearing
	<b>Final Election of Asserted Prior Art</b> By the date set for the service of expert reports by the party with the burden of proof on an issue, the patent defendant shall serve a Final Election of Asserted Prior Art, which shall identify no more than six asserted prior art references per patent from among the twelve prior art references previously identified for that particular patent and no more than a total of 20 references. For purposes of this Final Election of Asserted Prior Art, each obviousness combination counts as a separate prior art reference.
11/11/2024	<b>Experts</b> Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B). 11 weeks after claim construction hearing. <b>Note: Objections to any expert, including Daubert motions, shall be filed within 3 weeks after the expert's Report has been disclosed. Such objections and motions are limited to ten pages each.</b>
11/18/2024	<b>Mediation</b> Mediation deadline. 12 weeks after claim construction hearing
11/25/2024	<b>Discovery Deadline</b> Discovery deadline. All discovery must be served in time to be completed by this deadline. 13 weeks after claim construction hearing
12/16/2024	<b>Dispositive Motions</b> File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7.
12/30/2024	<b>Dispositive Motions - Responses</b> Responses to motions shall be due in accordance with Local Rule CV-7(e).
3/8/2025	<b>Meet and Confer re: Joint Final Pretrial Order</b> Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order, see <a href="http://www.txed.uscourts.gov">www.txed.uscourts.gov</a> , and Proposed Jury Instructions and Verdict Form.
3/13/2025	<b>Motions In Limine</b> Motions in Limine due. 30 days before Final Pretrial Conference
3/13/2025	<b>File Joint Final Pretrial Order.</b> Exchange Exhibits and deliver copies to the Court. At this date, all that

	is required to be submitted to the Court is a hyperlinked exhibit list on disk (2 copies) and no hard copies. 30 days before Final Pretrial Conference
3/13/2025	<b>Exhibits</b> Exchange Exhibits and deliver copies to the Court. At this date, all that is required to be submitted to the Court is a hyperlinked exhibit list on disk (2 copies) and no hard copies. 30 days before Final Pretrial Conference
3/15/2025	<b>Video Deposition Designations</b> Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered. 4 weeks before Final Pretrial Conference
3/15/2025	<b>Response / Cross Video Designations</b> All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the Court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the Court's rulings on objections. 4 weeks before the Final Pretrial Conference.
3/29/2025	<b>Response to Motions in Limine</b> 2 weeks before the Final Pretrial Conference
3/29/2025	<b>Objections to Pretrial Materials</b> File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend the deadline to object to expert witnesses.) If numerous objections are filed, the Court may set a hearing prior to docket call. 2 weeks before the Final Pretrial Conference
3/29/2025	<b>Jury Instructions/Verdict Form</b> File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law). 2 weeks before the Final Pretrial Conference
3/29/2025	<b>Voir Dire Questions</b> File Proposed Voir Dire Questions. 2 weeks before the Final Pretrial Conference
4/12/2025	<b>Final Pretrial Conference</b> Final Pretrial Conference at 1:30 p.m. at the United States Courthouse located at 7940 Preston Road, Plano, TX 75024
TBD	<b>Trial</b> 10:00 a.m. Jury Selection and Trial at the United States Courthouse located at 7940 Preston Road, Plano, TX 75024

If any of these dates falls on a weekend or court holiday, the deadline is modified to be the next court business day. Also note that all deadlines in this order are for **filing** or **delivery**, not **mailing** dates.

Unless otherwise ordered or specified herein, all limitations and requirements of the Federal Rules of Civil Procedure and the local rules of this court must be observed.

**So ORDERED and SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE